

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA
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4 Edward Berry,
5 Plaintiff

6 v.

7 Las Vegas Municipal Court,
8 Defendant

Case No.: 2:17-cv-00303-JAD-CWH

**Order Adopting Report and
Recommendation and Dismissing Case**

[ECF No. 2]

9 Pro se plaintiff Edward Berry is an inmate at the Southern Desert Correctional Center.
10 He brings this civil-rights case under 42 U.S.C. § 1983, alleging that his conviction and resulting
11 sentence violate his Fifth, Sixth, and Fourteenth Amendment rights.¹ Because he applies to
12 proceed *in forma pauperis*,² Magistrate Judge Hoffman screened his complaint under 28 U.S.C.
13 § 1915A³ and now recommends that I dismiss Berry's complaint with prejudice for failure to
14 state a claim upon which relief can be granted.⁴

15 Judge Hoffman filed his report and recommendation on July 23, 2018, making August 6,
16 2018, the deadline to file objections. That deadline has come and gone, and Berry has filed no
17 objection. "[N]o review is required of a magistrate judge's report and recommendation unless
18 objections are filed."⁵ Accordingly, with good cause appearing and no reason to delay, IT IS
19 HEREBY ORDERED that Magistrate Judge Hoffman's report and recommendation [ECF No.
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23 ¹ ECF No. 1-1.

24 ² ECF No. 1.

25 ³ ECF No. 2.


26 ⁴ *Id.*

27 ⁵ *Schmidt v. Johnstone*, 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003); *see also Thomas v. Arn*, 474
28 U.S. 140, 150 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).

1 **2] is ACCEPTED and ADOPTED.** Berry's complaint **[ECF No. 3] is DISMISSED** with
2 prejudice for failure to state a claim.

3 The **Clerk of Court** is directed to **ENTER JUDGMENT** accordingly and **CLOSE**
4 **THIS CASE.**

5 Dated: August 14, 2018

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8 U.S. District Judge Jennifer A. Dorsey
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